

Hearing Date: October 19, 2010
Hearing Time: 10:00 AM (EST)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

vs.

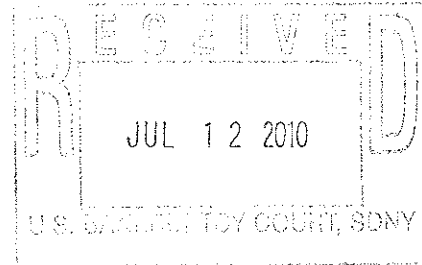
BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.



Bankruptcy Case No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**MEMORANDUM IN OPPOSITION TO TRUSTEE'S MOTION TO AFFIRM
TRUSTEE'S DETERMINATION DENYING CLAIMS OF CLAIMANTS
WITHOUT BLMIS ACCOUNTS IN THEIR NAMES,
NAMELY, INVESTORS IN FEEDER FUNDS**

Pursuant to the Court's Order dated April 13, 2010 (the "Order" [docket no. 2205]),

Irving I. Gottesman IRA hereby submits this Opposition to the Trustee's Motion For An Order to Affirm Trustee's Determinations Denying Claims of Claimants Without BLMIS Accounts In Their Names, Namely, Investors In Feeder Funds [docket no. 2416], and the memoranda filed by the Trustee and by SIPC in support of the same [docket nos. 2411 and 2414, respectively].

Irving I. Gottesman IRA is an "Objecting Claimant" as defined in the Order. Irving I. Gottesman IRA filed an objection to the Trustee's denial of its claim on the basis that Irving I. Gottesman IRA did not have an account at BLMIS (the "Objection" [docket no. 1302]). The Objection, along with its exhibits (including Irving I. Gottesman IRA's customer claim), is attached hereto as **Exhibit 1**.

The Trustee's determination that Irving I. Gottesman IRA is not a "customer" under SIPC because it did not have an account in its name at BLMIS is wrong for the reasons set forth in Irving I. Gottesman IRA Objection. In the interest of preserving judicial resources, Irving I. Gottesman IRA hereby incorporates by reference as if fully restated herein the arguments set forth in the Objection as to why Irving I. Gottesman IRA should be treated as a customer under SIPA. Irving I. Gottesman IRA also hereby joins and incorporates by reference as if fully restated herein the arguments and authority cited in the objections and oppositions filed on behalf of all similarly situated Objecting Claimants as to why the Trustee's determination on the customer issue is wrong.

Dated: July 1, 2010



Irving I. Gottesman